IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929

WP(C).No. 20166 of 2007(A)

SA.50/2006 of DEBT RECOVERY TRIBUNAL, ERNAKULAM

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PETITIONER:

M/S.NANDAVANAM TIMES, A PARTNERSHIP
FIRM, REP. BY ITS MANAGING PARTNER,
RAJU M.THOMAS, S/O.LATE THOMAS THOMAS, AGED 54,
MADATHIL PARAMBIL, PUTHENVEEDU, THITTAMMEL,
CHENGANNUR - 689 121.

BY ADV. SRI.VARGHESE C.KURIAKOSE
SRI.PRAVEEN K. JOY
SMT.THANKOM.G
SRI.E.M.MURUGAN

RESPONDENTS:

1. THE UNION OF INDIA,
REP. BY SECRETARY, MINISTRY OF FINANCE,
NEW DELHI.

2. THE AUTHORISED OFFICER,
THE PUNJAB NATIONAL BANK,
CHENGANNUR.

3. BRANCH MANAGER, PUNJAB NATIONAL BANK,
CHENGANNUR BRANCH.

4. BABY JOHN, S/O.M.V.JOHN, MODIUZHATHIL,
ANGADICKAL PUTHENKAVU P.O., CHENGANNUR.

BY ADV. SRI.K.P.SUDHEER – FOR R1 & R2
SRI.MVS.NAMBOOTHIRY – FOR R4
SRI.DEEPAK THOMAS
SRI.P.PARAMESWARAN NAIR,ASST.SOLICITOR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) No. 20166/2007

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF THE JUDGEMNT DATED 25/08/2005 IN WP(C) No. 13160/2005 PASSED BY THIS COURT.

P2 : COPY OF THE POSSESSION NOTICE DATED 17/06/2006.

P3 : COPY OF the NOTICE DATED 04/06/2007.

P4 : COPY of the CONTAINING COVER OF THE NOTICE.

P5 : COPY OF THE REPRESENTATION DATED 10/03/2007.

P6 : COPY OF THE DETAILED REPRESENTATION DATED 22/06/2007 TO THE 2ND AND 3RD RESPONDENT.

P7 : COPY OF THE APPLICATION BEFORE THE DEBTS RECOVERY TRIBUNAL, ERNAKULAM.

RESPONDENT'S EXHIBITS

R4(a) : COPY OF THE SALE DEED EXECUTED BEFORE THE SUB REGISTRY, CHENGANNUR.

// TRUE COPY //

PA TO JUDGE.

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 20166 of 2007

Dated, this the 6th day of July, 2007

J U D G M E N T

Sale made by the Bank under the securitization proceedings is challenging in this WP(C) on account of illegality or impropriety in the sale. Appeal filed by the petitioner is pending before the DRT and DRT has full power to interfere with the sale, if there is any ground. This WP(C) is therefore disposed of directing DRT to dispose of the appeal within three months from the date of production of a copy of this judgment by the petitioner.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg